

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**IN RE: Russell and Alisha Brooks**                                 }  
  }  
  }     **CASE NO. 15-80927**  
  }     **CHAPTER 13**

**DEBTOR(S).**

**MODIFIED PLAN AND SUMMARY, NOTICE OF  
INCORPORATION OF TERMS OF ORIGINAL PLAN AND  
STATEMENT OF MATERIAL CHANGES TO TREATMENT OF CLAIMS**

Comes now the Debtor(s) and files their First Modified Plan and Summary, Notice of Incorporation of Terms of Original Plan and Statement of Changes to Provisions of Secured Claims.

1. The Debtor(s) have attached hereto their First Modified Plan and Summary which provides for a term of 60 months.

2. All terms contained in the Confirmed Plan (except the Summary) as Confirmed by the Court on 8-29-15 (Docket Entry #2) are incorporated by reference.

3. A Motion to Modify the Plan is being filed contemporaneously with this Modified Plan pursuant to the Fed. R. Bankr. P. and this Court's Local Rule 3015-3.

4. Pursuant to 11 U.S.C. §1329(b)(2) the Modified Plan and Summary attached hereto and the terms of the Original Plan (except the Summary) as incorporated herein become the plan.

5. Only the following secured claims have been affected by the modifications contained in the Amended Summary attached:

<u>Creditor</u>	<u>Collateral</u>	<u>Description of the Change</u>
Ford Motor Credit	2006 Ford Escape	to reduce secured claim to 0.00 as no proof of claim was filed
American Fin. Resources	Homestead real prop	to reduce arrearage claim to 0.00 as no proof of claim was filed

6. The distribution to Unsecured creditors remains unchanged at 0.00 % due to the modifications.

Dated: 5-10-16

/s/ Terry D. Bigby

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**A MODIFIED SUMMARY MUST BE ATTACHED TO THIS MODIFIED PLAN.**

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# Summary of Plan

Use for Original and Amended Plans

Russell and Alisha Brooks

Case No. 15-80927

Dated:

5/5/2016

Class	Description of Collateral	Creditor	Amount of Secured Claim	Acct. No.	Interest Rate	Beg Mo	End Mo	Monthly Payment	Paid By Trustee/ Debtor	Total Mos Paid	Total Amt. Paid by Trustee
I.A.	2006 Ford Escape	Ford Motor Credit	\$ -		0.0000%	1	60	\$0.00	Trustee	60	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
I.A.								\$0.00	Trustee	1	\$0.00
II.A.								\$0.00	Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
II.A.	homestead	American Financial Resources	\$ 118,202.95		contract	1	60	\$955.35	Trustee	60	\$57,321.00
II.B.	homestead	American Financial Resources	\$ -		0.0000%	1	60	\$0.00	Trustee	60	\$0.00
II.B.	homestead	American Financial Resources	\$ -		0.0000%	1	60	\$0.00	Trustee	60	\$0.00
II.A.								\$0.00	Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
II.B.			\$ -					\$0.00	Trustee	1	\$0.00
II.A.								\$0.00	Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
II.B.								\$0.00	Trustee	1	\$0.00
I.B.								\$0.00	Trustee	1	\$0.00
I.B.								\$0.00	Trustee	1	\$0.00
III.A.								\$0.00	Trustee	1	\$0.00
III.B.								\$0.00	Trustee	1	\$0.00
III.C.								\$0.00	Trustee	1	\$0.00
IV.A.	Attorney Fees	Terry D. Bigby							Trustee		\$2,860.00
IV.B.	Taxes	IRS							Trustee		\$3,487.70
IV.B.	Taxes	Oklahoma Tax Commission							Trustee		\$564.19
IV.B.									Trustee		
IV.B.									Trustee		
IV.B.									Trustee		
Total											\$64,232.89

## Class V Executory Contracts:

There are no other executory contracts.

## Applicable Commitment Period

## Plan Term

## Beg

## End

## Mo

## Pmt

## # Mos

## Amt. Paid

36	60	1	2	\$1,545.00	Debtor	2	\$3,090.00
		3	8	\$1,552.00	Debtor	6	\$9,312.00
		9	60	\$1,135.00	Debtor	52	\$59,020.00
					Debtor	1	\$0.00
TOTAL AMOUNT PAID INTO PLAN							\$71,422.00
Trustee Fee (10%)							\$7,142.20
Total paid to Class I, II, III, IV.A and IV.B. creditors above							\$64,232.89
Amount to be paid to Class IV.C. Unsecured Claims:							\$0.00
Amount by which plan is not feasible (If positive then plan is feasible).							\$46.91

\*If amount paid to Class IV.C. claims (non-priority unsecured creditors) is zero then actual percent is zero.

## ABOVE MEDIAN DISPOSABLE INCOME CALCULATION:

Monthly Net Disposable Income: (Form 22C, L. 59)

Disposable Income to Unsecured Creditors Amount (DITUC):

Amount available to all Creditors under Chapter 7:

Total Priority Claims:

Chapter 7 Test Amount:

Greater of Below Median DITUC or Chapter 7 Test Amount:

Greater of Above Median DITUC or Chapter 7 Test Amount:

Amount proposed to Pay to Class IV.C. Claims (In Re Lanning):

(Must be more than Greater of DITUC or CH 7 Test)

Amount to Class IV.C. Claims:

\$0.00

\$0.00

\$250.00

\$4,051.89

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

\$0.00

## Estimated Payment to Unsecured Creditors:

Class IV.C. Claims per Sch. F \$72,345

Claims Relegated to Class IV.C. \$0

Total Class IV.C. (Non-Priority Unsecured) Claims \$72,345

Required Amount to Class IV.C. Claims \$0.00

Estimated Percentage to Class IV.C. Claims: 0.00%

## BELOW MEDIAN DISPOSABLE INCOME CALCULATION:

Amount paid in months 1 to 36 by Debtor: \$44,182.00

Less Trustee Fee: \$4,418.20

Less payments to Creditors: \$64,232.89

Net to Class IV.C Claims: \$0.00

Class	Desc. of Collateral	Creditor	Location
I.C.			
I.C.			
I.C.			
I.C.			
I.C.			

The Debtor(s) shall make the following loan repayments to qualified plans and/or direct payments on domestic support obligations.

Monthly Payment	Creditor

Comments: Debtors will pay \$100.00 per month for rent to own vehicle to Debtor's father for nine month outside the plan.